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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 CLINDON VANDIVER,

Civil No. C05-687-JLR

9 Plaintiff,

10 vs.

ORDER

11
12 JO ANNE B. BARNHART,
13 Commissioner of Social Security,

14 Defendant

15 Based on the stipulation of the parties, it is hereby ORDERED that the Commissioner's
16 final decision be reversed and remanded for further administrative proceedings pursuant to
17 sentence four of 42 U.S.C. § 405(g). Upon remand to the Commissioner of Social Security, the
18 Appeals Council will remand this case to a different administrative law judge to (1) fully evaluate
19 all opinions of the treating and examining physicians, citing the bases for the evaluations; (2)
20 reevaluate Plaintiff's credibility in accordance with SSR 96-7p and related regulations; (3) fully
21 evaluate all of Plaintiff's impairments including bipolar disorder and hand impairments; (4) fully
22 evaluate the diagnosis of personality disorder; (5) reassess Plaintiff's residual functional capacity;
23 and (6) obtain vocational expert testimony, if warranted. Plaintiff may present new arguments
24 and further medical evidence, if such evidence becomes available.
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1 This case is REVERSED and REMANDED on the above grounds pursuant to sentence
2 four of 42 U.S.C. § 405(g). Upon proper presentation, this Court will consider Plaintiff's
3 application for costs and attorney's fees under 28 U.S.C. § 2412(d).
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5 DATED this 13th day of October, 2005.

6 s/James L. Robart
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8 JAMES L. ROBART
9 United States District Judge

10 RECOMMENDED FOR ENTRY
11 this 13th day of October, 2005:
12

13 /s/Monica J. Benton
14 MONICA J. BENTON
15 United States Magistrate Judge

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17 Presented by:

18 s/ JOANNE E. DANTONIO WSB # 23623
19 Special Assistant U.S. Attorney
20 Office of the General Counsel
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